

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

<b>GLIMCHER DEVELOPMENT CORP.,</b>	)	<b>Case No. C-1-01-408</b>
	)	
<b>Plaintiff</b>	)	<b>Judge Weber</b>
	)	<b>Magistrate Judge Sherman</b>
<b>-v-</b>	)	
	)	
<b>GATOR FOREST PARTNERS LTD.,</b>	)	<b><u>JOINT REQUEST TO SCHEDULE</u></b>
	)	<b><u>PROPOSED MEDIATION</u></b>
<b>Defendant.</b>	)	
	)	
	)	
	)	
	)	

The Clerk's office has informed the parties that the proposed mediation date of November 3, 2003 is not possible. The parties also understand that it is unlikely that the Court will have time for a settlement conference in this matter until some time after January 1, 2004. The parties wish to inform the Court, however, that a mediation prior to expensive and time-consuming discovery may help resolve the case.

The parties have set aside dates for potential depositions and are willing to use any of those dates for mediation, if the Court is available. The parties are available for a mediation conducted by Judge Weber on the following dates this year: November 10, 12, 13, 14, 19, 20, 25; and December 1 and 2.

If these dates are not convenient for the Court, the parties ask that the mediation by Judge Weber be held in early January, 2004.

Respectfully submitted,

/S/ Michael R. Reed (per telephone authority)

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 23rd day of October, 2003, a copy of the JOINT REQUEST TO SCHEDULE PROPOSED MEDIATION ORDER was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/S/ Patrick F. Fischer

Patrick F. Fischer